



**COLLEGE STATION POLICE DEPARTMENT  
INFORMATIONAL MEMORANDUM**

**TO:** Scott McCollum, Chief of Police  
**FROM:** Michael H. Pavelka, Internal Affairs Lieutenant, #354 *MP*  
**REF:** 2014 Use of Force Analysis  
**DATE:** March 31, 2014

*REVIEWED 4/14/15  
IN STAFF MEETING  
W/ COMMAND STAFF,  
NEW FORM APPROVED*  
*[Signature]*

**STATEMENT OF ISSUE:**

Chapter 42 Section 6 (d) as well as Section 10(a) of the College Station Police Department Policies and Procedures Manual requires an annual analysis of documented uses of force. The following is an analysis of force used by officers and staff in 2013.

**BACKGROUND/DISCUSSION:**

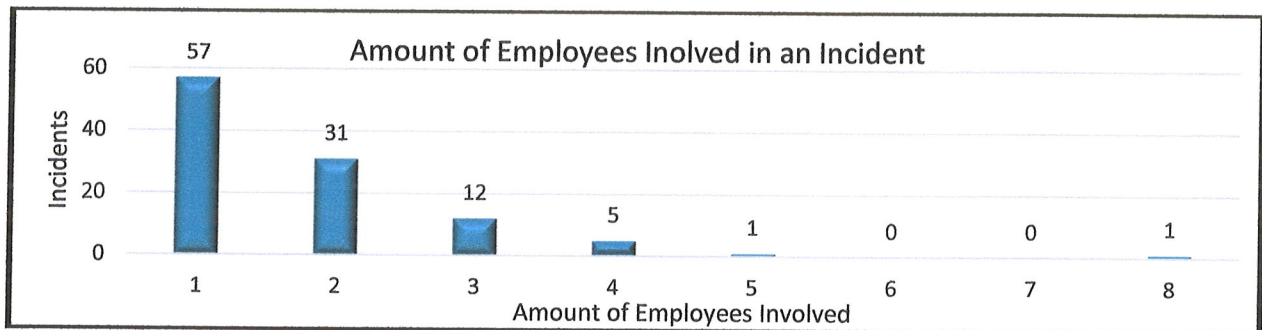
In analyzing the data, there are several subsets, which reflect variations of the total number of use of force incidents. For the purpose of this report, a use of force incident is an event or episode during which force was used. The force incident may involve multiple persons, multiple officers, and multiple types of force. For example a felony stop conducted by three officers on vehicle with four occupants during which all officers involved pointed their weapons at someone is one force incident. The variations may be a result of multiple employees using force on one individual, an employee using multiple types of force on an individual, or a combination of employees using various action of force on groups of people. Though the numbers vary slightly, the data accurately reflects the trends of the department and can be utilized to ensure that College Station Police Department is engaged in the best practices possible in an effort to reduce use of force instances, injury, and liability concerns. The following more closely dissects the data captured in the use of force incidents to determine and potential trends.

In 2014 there were a total of 107 uses of force incidents involving 137 subjects and 188 employees (69 distinct employees). When compared with raw data from 2012 and 2013 there appears to be a significant decrease in force incidents. This decrease however is most likely explained by modified reporting made in April of 2013. This modification removed the requirement for employees to report incidents of soft empty hand control and handcuffing without an arrest unless there was an injury or alleged injury. It further removed the reporting

requirement related an officer removing their firearm or TASER from the holster, making a use of force report required only if those items were actually pointed at a person. Additionally, on April 21, 2014, the College Station Police Department Patrol Division transitioned from 10 hour shifts to a 12 hour shift.

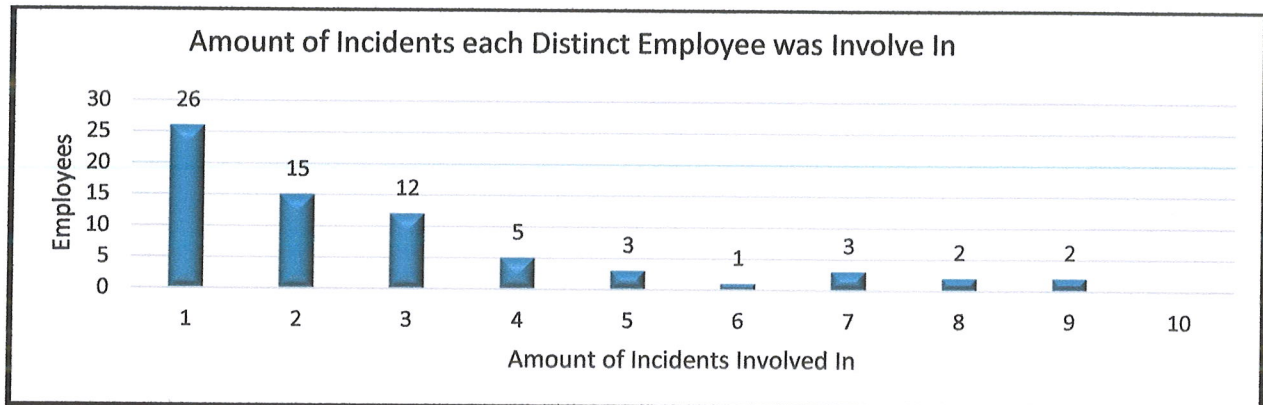
### **Amount of Employees Involved in an Incident**

There were 57 incidents (53%) where there was only one employee involved in using force. Twenty-nine percent (31 incidents) involved two employees. One incident, involving reports of shot fired which resulted in eight different officers pointing their firearms at multiple persons on scene.



### **Amount of Incidents by Distinct Employees**

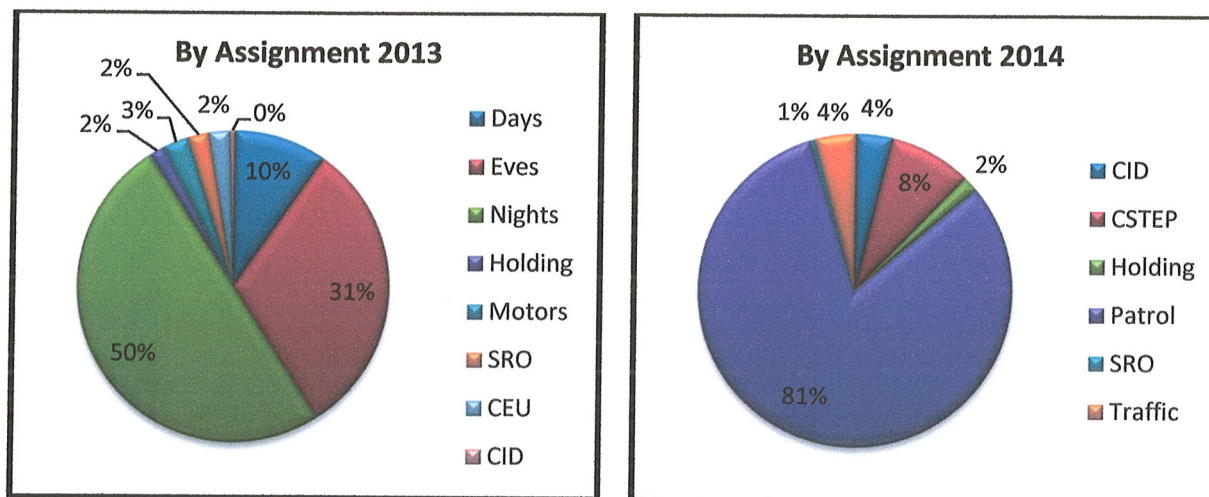
In 2014, there were 69 individual employees that were involved in a force incident. Twenty six employees (38%) were only involved in one incident. Fifteen employees were involved in two force incidents, while 12 employees were involved in three force incident through 2014. The greatest amount of force incidents any individual employee was involved in was nine, and there were two such officers.





### **By Assignment**

Of the 188 various employee involvements, 81% involved personnel assigned to Uniform Patrol and 8% involved officers assigned to CSTEP. In the 2013, Patrol accounted for 91% of all use of forces, however those numbers included personnel assigned to CSTEP. (Analysis by shift was not possible due to the transition to 12 hour shift in mid-year.)

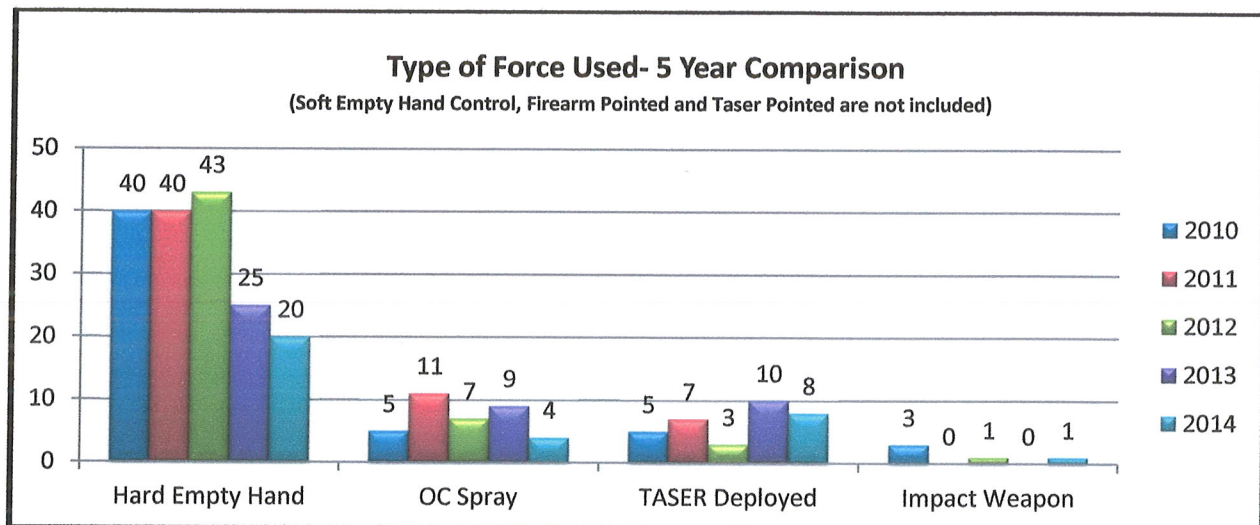
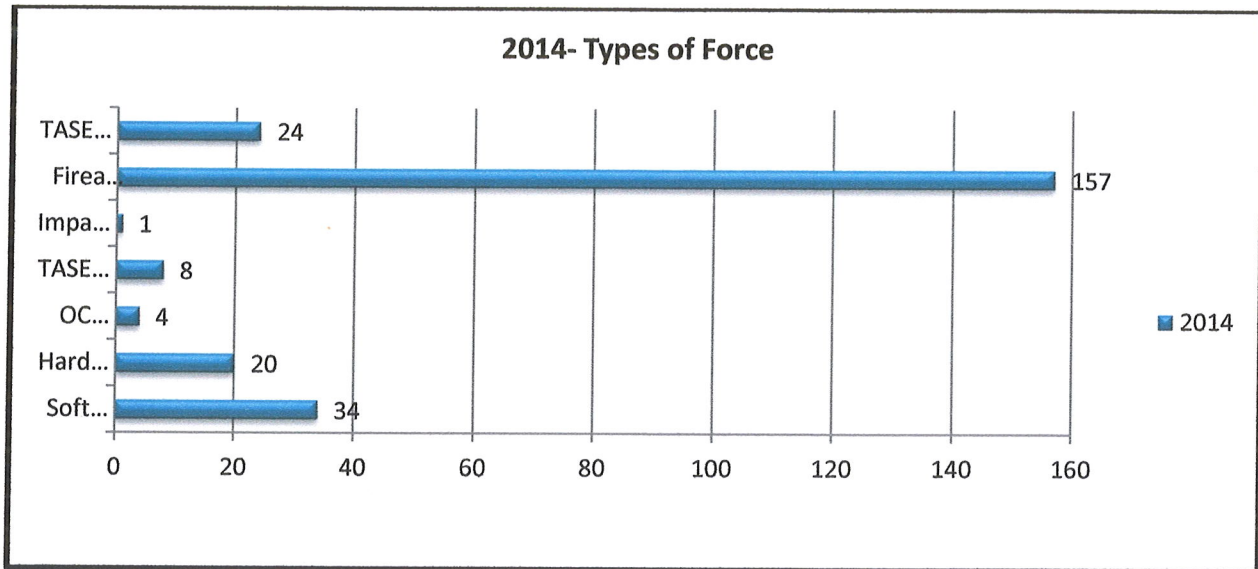


### **Complaints and Disciplinary Action**

Of the 107 force incidents, there were three incidents that were investigated due to excessive force allegations. In all three of the investigations, officers were ultimately exonerated of any wrong doing related to their use of force.

### **Type of Force Used**

In 2014 the most common use of force was firearm pointed. There were 157 occasions in which officers pointed a firearm at a person, accounting for 63% of all use of force in 2014. The second most prevalent type of force was TASER pointed, which accounted for 10% of the types of force used (24 instances). (Due to the change in reporting requirements made in mid-year of 2103, an accurate comparison of historical data was not possible regarding firearms or TASERs pointed). In 2014 there were 12 additional employees trained and equipped with TASERs raising the total amount of TASERs issued to CSPD employees to 50. Despite the increase availability in TASERs the number of deployments decreased from 10 deployments in 2013 to only 8 in 2014. There were four instances of OC spray being utilized and one instance of an impact weapon being used (this was the deployment of a less lethal shotgun on a subject believed to be armed with a firearm).

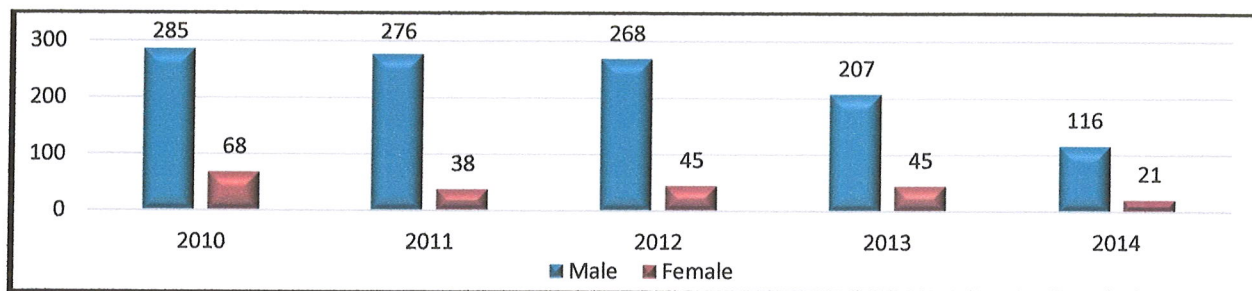


## Injuries

In 2014 there were 27 reported injuries as a result of an employee's use of force. This marks a 27% decrease from the 37 reported injuries in 2013. Of the 27 injuries, 26 injuries were listed as minor, which include scrapes, lacerations, TASER probe marks and complaint of pain. There was only one instance which resulted in a major injury. This injury occurred when an arrestee was assaulting an officer and the officer performed an armed bar take down. During the take down, the arrestee hit her face on concrete and sustained a possible orbital fracture. The force was reviewed by the employee's chain of command and deemed to be appropriate.

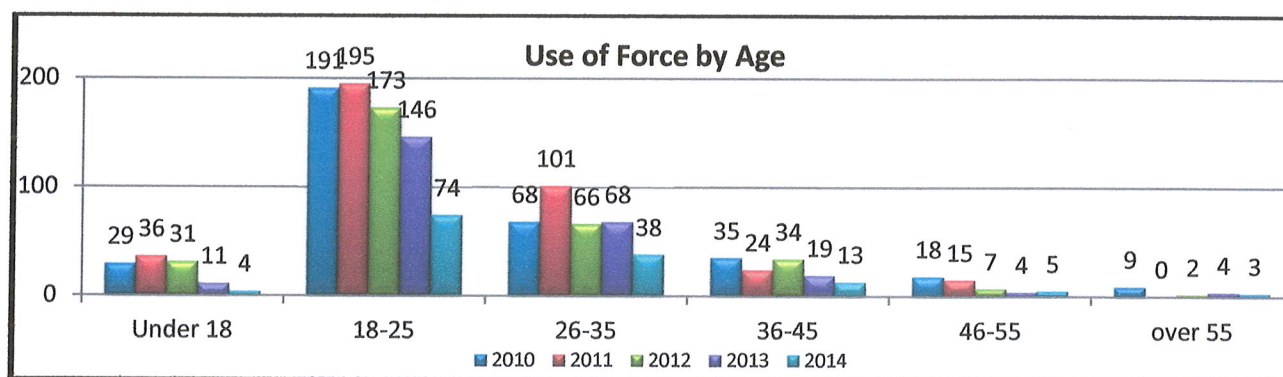
## Gender

In 2014, 85 % of the person to whom force was used on were male. Over the past five years, the percentage of males involved in force incidents has remained relative consistent, ranging from 81% in 2010 to 88% in 2011.



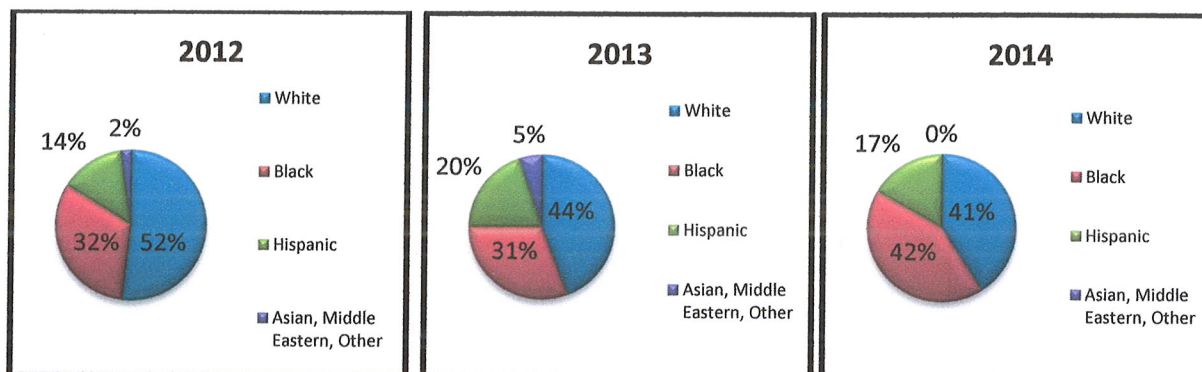
### Age

In 2014, persons between the ages of 18-25 years contributed to 54% of the use of force incidents and is consistent with the data from previous years.

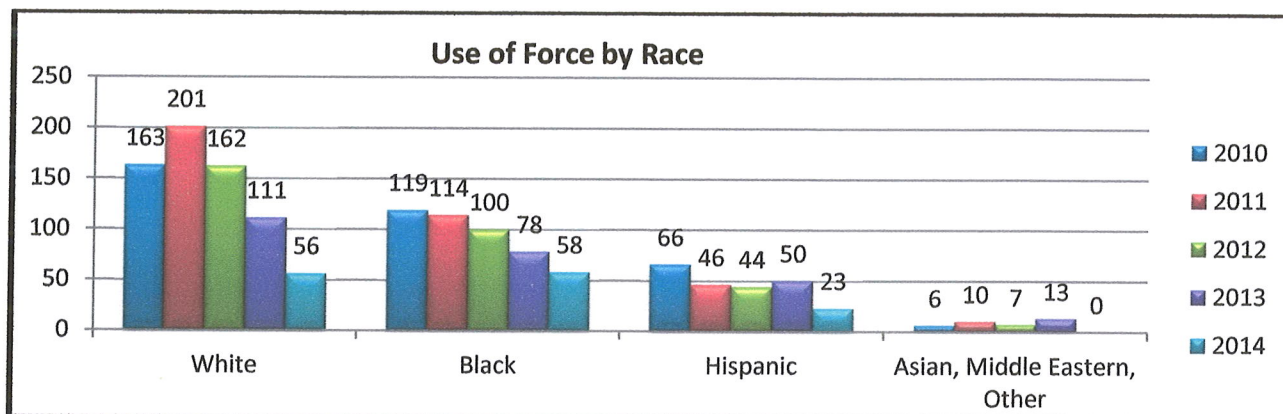


### Race

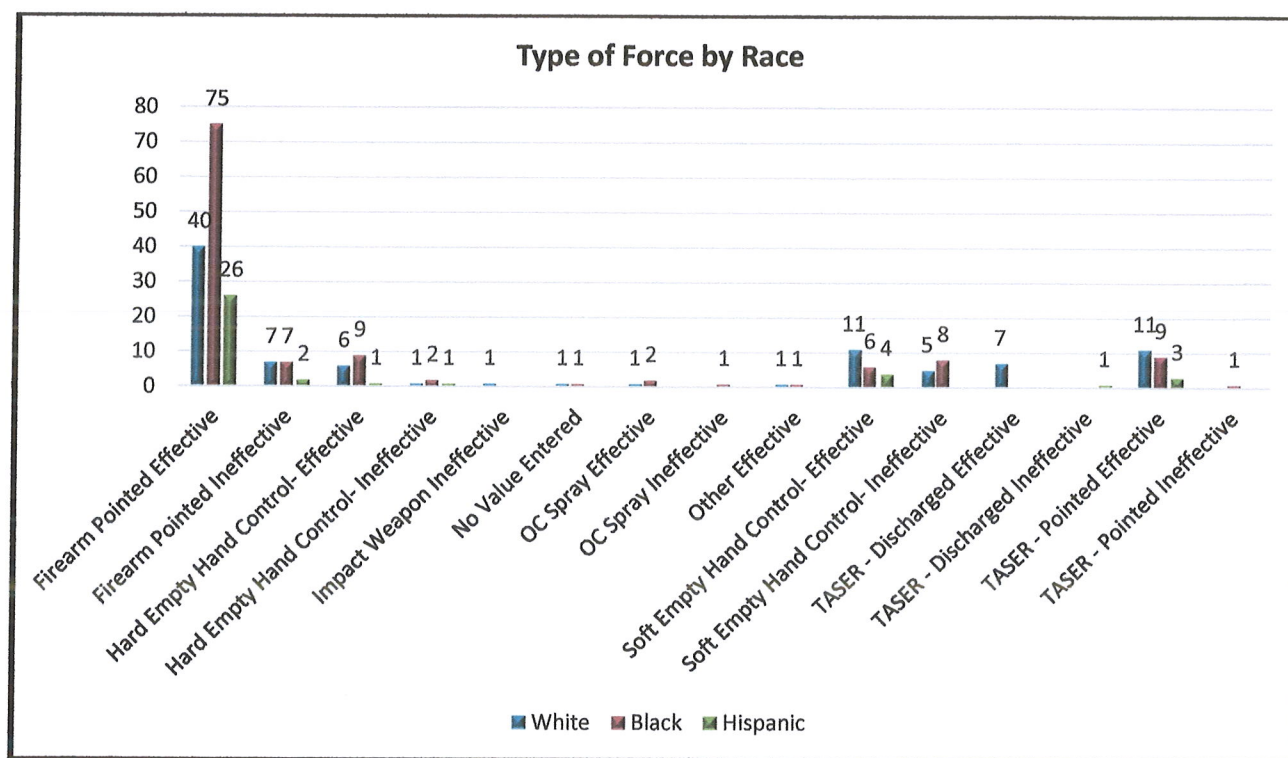
In 42% reported incidents, force was used on someone classified as black followed by 41 % white. While the percentage of force incidents involving persons classified as black increased, the actual number of force incidents decreased. When compared with 2013 numbers, there was a 49% decrease in force incidents involving whites, 20% decrease involving blacks, and 27% decrease involving Hispanics. Historically, whites accounted for the most force incidents, and therefore further analysis was conducted in an effort to determine if the nature of this occurrence.





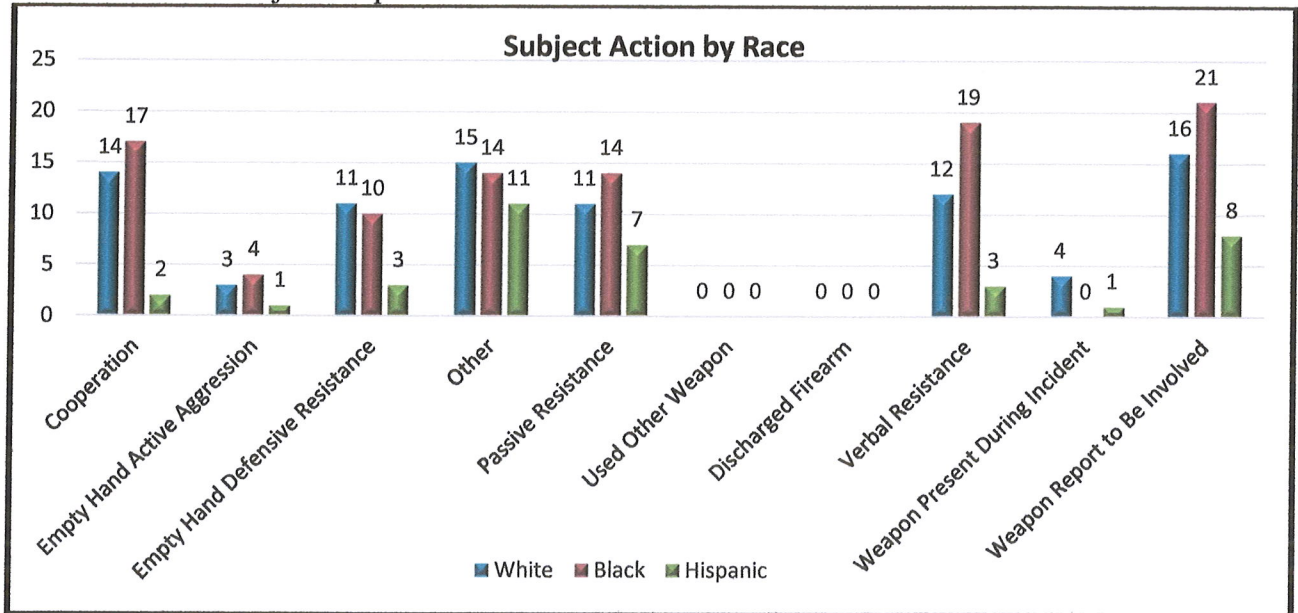


An examination of force types broken down by race shows that 53% of the instances involved a firearm being pointed at someone who is black, while 28% involved white persons and the remaining 19% involved Hispanics.

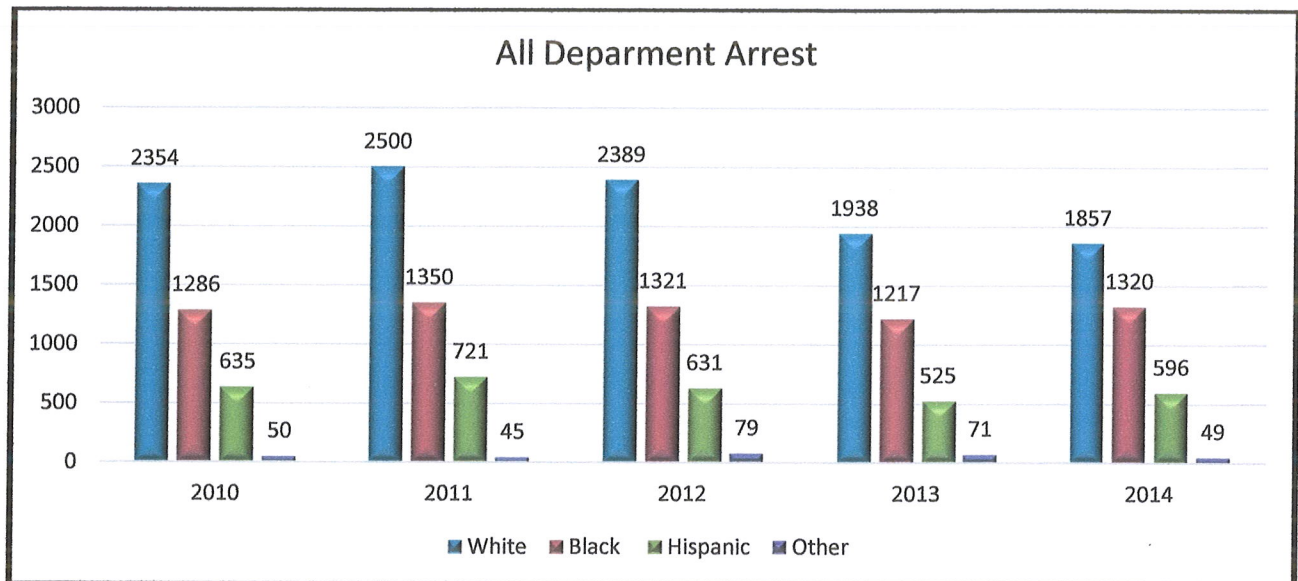


Further analysis by race and subject action, indicates that 47% of instances where a weapon was reported to be involved included someone who was black, while 35% were white and 18% Hispanic. Blacks were also reported to have been involved in passive resistance and verbal resistance at a higher rate than whites or Hispanics. It should be noted that the reporting requirements for subject's actions direct employees to check all actions that apply. Therefore a subject's action may be a combination of multiple actions. For example, the subject may have been cooperative, but there may have also been a weapon reported to be involved. In the instance of the cooperation, this action provides some perspective as to the overall demeanor of the subject, but is not used as justification for the force used. In the previous example, the

justification of force resides with the fact there was a weapon reported to be involved and not with the fact the subject cooperated.



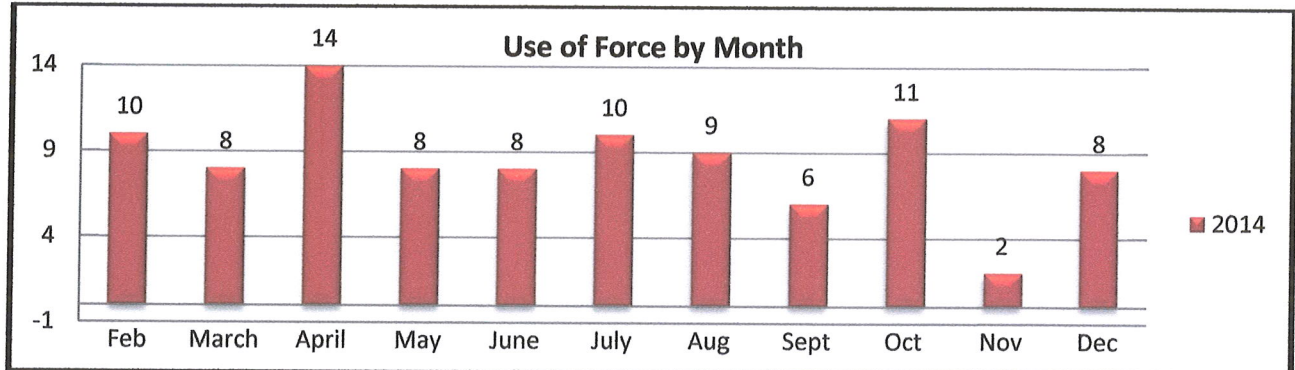
Data related to all arrest by subject race was also examined. Over the past five years, the percentage of persons arrested as it related to race remained fairly consistent. Whites accounted for 49-54% of all arrest, blacks were 30-34% and Hispanics were 14-16%.



Also examined was the racial make-up of the community. Data collected from the 2010 Census shows that College Station is 77% white, 6.8% black and 14% Hispanic. Census data from 2000 showed College Station was 80% white, 5.4% black and 10% Hispanic. While on face value, it appears the percentage of blacks is increasing in College Station, it is not immediate apparent if this may have played a role in the increase percentage of force incidents on blacks.

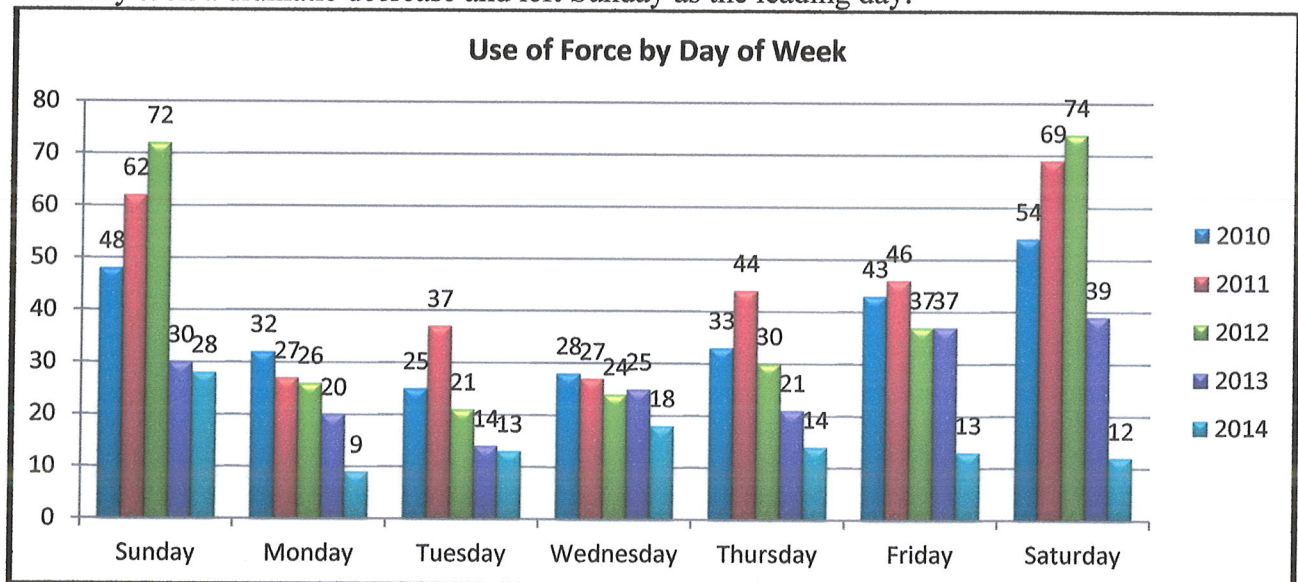
## Month

April had the most force incidents, 14, accounting for 13% of all incidents. November was the lowest month with 2% of the force incidents.



## Day of Week

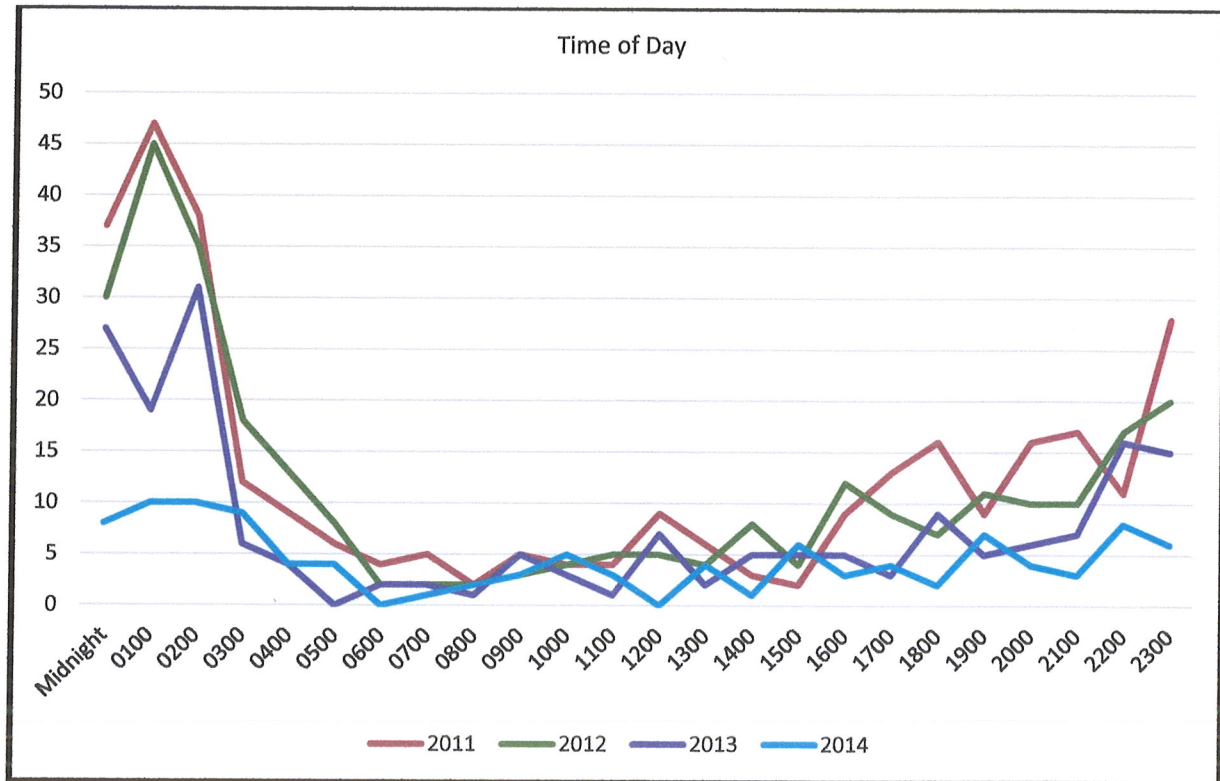
Historically, Saturday has accounted for the majority of force incidents, however in 2014 Saturday took a dramatic decrease and left Sunday as the leading day.





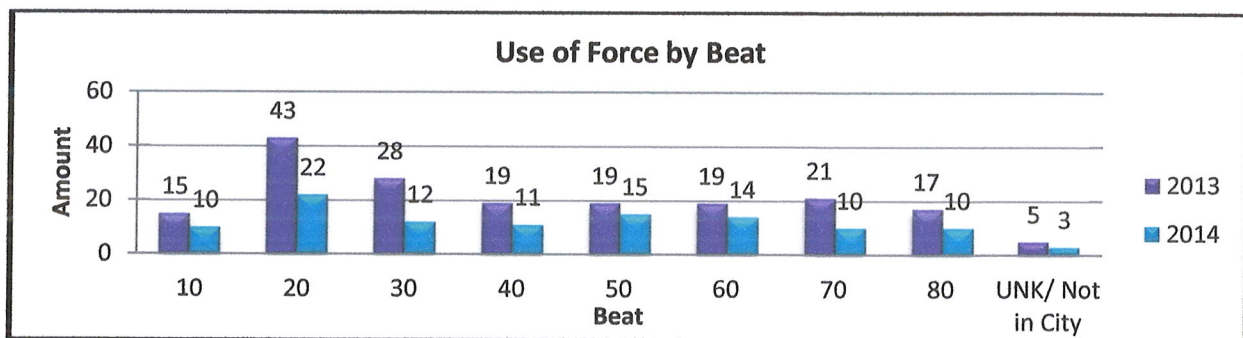
## Time of Day

The data indicates that 33% of all use of force incidents occurred between midnight and 0359 hours.



## Beat

As mentioned in the 2013 analysis, a beat realignment caused the Northgate Entertainment District to be moved from 10 beat to 20 beat. Historically, the beat containing the Northgate Entertainment District has accounted for the highest amount of force incident. In 2014, 20 beat remained consistent with that trend and again had the highest amount of force incidents at 21%.



### **Force Incidents Involving Alcohol and/or Drugs**

In 2013, 47% (119) of all reported force incidents involved a person who was under the influence of alcohol or drugs. In 2014, 67 people (49%) were under the influence of drugs or alcohol when force was used against them.

### **Conclusion**

The data indicates that there was a significant reduction in the amount of force incidents in 2014 when compared to 2013, but is believed to be in part due to the change in reporting requirements implemented mid-year of 2013. The data suggest that a force incident is more likely to involve a male between the ages of 18-25, occur between midnight to 0400 hours in Beat 20.

Of particular interest was the increased percentage of force used on blacks. Historically, whites have accounted for the greatest number of overall force incidents, but this trend did not hold true in 2014. The use of force type with the greatest occurrence was firearm pointed, and black persons were the subject of that force in 53% of the instances. In instances where there was a weapon reported to be involved, black persons were involved in 47% of those instances. It stands to reason that when an officer responds to a call where a weapon was reported to be involved, that they are more likely to point their firearm at the persons involved in the call, and therefore provides a possible explanation in the increase percentage of force incidents involving blacks.

In conducting this analysis, it became apparent that the data sets defined on the Use of Force Report related to subject actions provide only a broad overview of that person's demeanor, and that those actions may or may not be a determining factor in why an employee decided to use force. By changing the Use of Force Report to include the collection of more specific criteria regarding why force was used, a more detailed analysis may be possible in the future.

### **Recommendation**

I recommend that the Use of Force Report be modified to collect data as it specifically relates to the subjects actions or why the officer used force on a subject. I have attached a draft copy of a Use of Force Form to be considered for implementation.



# COLLEGE STATION POLICE DEPARTMENT

## USE OF FORCE REPORT

[illegible]

**Details** *(complete only if no arrest or offense report is generated)*

Signature of Employee Completing the Report

ID #

Date

**Chain of Command Comments, Actions, and Recommendations****Immediate Supervisor Comments**

Supervisor Signature

ID #

Date

**Commander Comments**

Commander Signature

ID #

Date

**Bureau Commander Comments**

Signature of Employee Completing the Report

ID #

Date